

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 14195 of Willard and Ruth L. Eatmon, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the floor area ratio requirements (Section 5301.1) to use the first and second floors of the subject premises as a beauty shop in a C-2-A District at the premises 1102 H Street, N.E., (Square 981, Lot 806).

HEARING DATE: October 17, 1984

DECISION DATE: October 17, 1984 (Bench Decision)

FINDINGS OF FACT:

1. By BZA Order No. 13839, dated February 17, 1983, the Board granted the same relief to the same applicants for the same structure as requested in the present application.

2. The applicants did not proceed to use the second floor due to a lack of financial resources. The Board's approval expired after six months. Those resources are now available, and the applicants propose to go forward with the project.

3. The Board incorporates by reference all of the Findings of Fact and Conclusions of Law contained in Order No. 13839, a copy of which is attached hereto.

4. The Office of Planning, by report dated October 10, 1984, recommended approval of the subject application. The Office of Planning reported that the facts have not changed since the Office of Planning report prepared on the prior application. The Office of Planning therefore recommended approval of the application.

5. Advisory Neighborhood Commission 6A, by letter dated October 5, 1984, recommended approval of the application. The ANC reported that the applicants seek to expand a small business in an area greatly in need of an improved climate for business. The ANC concluded that the relief requested would enhance the likelihood of success of the small business. If denied relief, the business would not be as likely to succeed. The Board concurs with the ANC recommendation.

6. There was no opposition to the application at the public hearing or of record.


CONCLUSIONS OF LAW AND OPINION:

The Board concludes that the Findings of Fact and Conclusions of Law set forth in Order No. 13839, dated February 17, 1983, are still valid and are applicable to the subject application. The Board concludes that it has accorded to the ANC the "great weight" to which is entitled. It is therefore hereby ordered that the applicant is GRANTED.

VOTE: 5-0 (Charles R. Norris, Maybelle T. Bennett, William F. McIntosh, Douglas J. Patton and Carrie L. Thornhill to grant)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

23 NOV 1984

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS.

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